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Application No. (if known): 10/680,459

Attorney Docket No.: NY-HUBR 1230-US

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Letter - Submission Of Declaration Under 37 C.F.R. 1.132
Signed Declaration Under 37 C.F.R. 1.132 by Chris Rundfeldt

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DATE: April 5, 2010

PTO IDENTIFIER: Application Number 10/680,459-Conf. #4494
Patent Number

Inventor: Chris Rundfeldt et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: FULBRIGHT & JAWORSKI L.L.P.

Norman D. Hanson

PHONE: (212) 318-3168

Attorney Dkt. #: NY-HUBR 1230-US (10312533)

PAGES (Including Cover Sheet): 15

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Signed Declaration Under 37 C.F.R. 1.132 by Chris Rundfeldt
Certificate of Transmission (1 page)

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Docket No.: NY-HUBR 1230-US
(PATENT)

Letter - Submission Of Declaration Under 37 C.F.R. § 1.132	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: April 5, 2010	Signature: <u>Fani Malikouzakis</u> (Fani Malikouzakis)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chris Rundfeldt et al.

Application No.: 10/680,439

Confirmation No.: 4494

Filed: October 6, 2003

Art Unit: 1617

For: USE OF DIHYDROIMIDAZOLONES FOR
THE TREATMENT OF DOGS

Examiner: D. R. Claytor

LETTER - SUBMISSION OF
DECLARATION UNDER 37 C.F.R. § 1.132Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to their Amendment of March 19, 2010, applicants wish to submit the attached, factual declaration, executed by lead inventor, Dr. Chris Rundfeldt.

Dr. Rundfeldt discusses the "state of the art" with respect to drugs that are effective in canine idiopathic epilepsy, and the issues that are faced by the artisan in developing new drugs.

Dr. Rundfeldt then explains how he compared three compounds which are very closely related in their structures, and that they were all equally effective in rodent models. See the summary at paragraph 7 of the declaration.

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Application No.: 10/680,459

Docket No.: NY-HUBR 1230-US


Yet, when the 3, very similar drugs, with equal efficacy in rodents, were tested in a canine model, the results did not extrapolate. Please note paragraphs 10-21, and Dr. Rundfeldt's conclusion at paragraph 22.

It is submitted that these materials, taken together with those submitted previously, clearly establish the patentability of the claimed invention and a holding to that end is solicited.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-HUBR 1230-US (10312533) from which the undersigned is authorized to draw.

Dated: April 5, 2010

Respectfully submitted,



By

Norman D. Hanson

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